

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

IN RE: NATIONAL FOOTBALL
LEAGUE PLAYERS' CONCUSSION
INJURY LITIGATION

No. 12-md-2323 (AB)

MDL No. 2323

THIS DOCUMENT RELATES TO:

Plaintiffs' Master Administrative Long-Form Complaint and:

Marvin Fleming, et al. v. National Football League, et al.

Court File No. 2:13-cv-00051-AB

**MOTION FOR LEAVE TO
WITHDRAW AS COUNSEL
FOR PLAINTIFF MARK HIGGS**

Charles S. Zimmerman, J. Gordon Rudd, Jr., and Brian C. Gudmundson of Zimmerman Reed, L.L.P. ("Plaintiffs' Counsel"), move this Court pursuant to Pennsylvania Rule of Professional Conduct 1.16(b)(1) and United States District Court for the Eastern District of Pennsylvania Local Rule of Civil Procedure 5.1(c) to withdraw as counsel in relation to the claims of Mark Higgs only in this action, and state as follows:

1. Plaintiffs' counsel filed the action *Marvin Fleming, et al. v. National Football League, et al.*, No. 12-cv-09270, in the Southern District of New York on December 19, 2012 and it was transferred and assigned Court File No. 2:13-cv-00051-AB, in the Eastern District of Pennsylvania on January 4, 2013, for the benefit of several retired National Football League players, including Mark Higgs.

2. Plaintiffs' counsel filed a short form complaint for Mark Higgs on January 10, 2013.

3. Since then, irreconcilable differences have arisen between Plaintiff Mark Higgs and the undersigned.

4. Plaintiffs' counsel properly notified Mark Higgs of counsel's intention to withdraw from representing him in this matter.

5. Under the circumstances, it is apparent that the undersigned must move the Court for leave to withdraw as counsel.

WHEREFORE, Plaintiffs' counsel respectfully requests this Court for leave to withdraw as counsel for Mark Higgs only in Court File No. 13-cv-00051-AB.

Dated: March 11, 2016

Respectfully submitted,

ZIMMERMAN REED, L.L.P.

s/ Brian C. Gudmundson

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